

PROB 12B  
(7/93)

# UNITED STATES DISTRICT COURT

for

## Middle District of Pennsylvania/Harrisburg

### Request for Modifying the Conditions or Term of Supervision

Name of Offender: Charles Harly Case Number: 1:CR-00-80-001  
Name of Sentencing Judicial Officer: The Honorable Yvette Kane, U.S. District Judge  
Date of Original Sentence: October 20, 2000  
Original Offense: Possession with Intent to Distribute in Excess of 5 Grams of Crack Cocaine,  
21 USC § 841(a)(1).  
Original Sentence: 90 months imprisonment, 5 years supervised release, and \$800.00 fine  
Type of Supervision: Supervised Release Date Supervision Commenced: April 19, 2006

### PETITIONING THE COURT

To modify the conditions of supervision as follows:

You shall reside for a period of two weekends in the Lee County Jail. The first period of confinement shall begin on October 6, 2006, at 7:00 p.m. and last until October 8, 2006, at 7:00 p.m. The second period of confinement shall begin on October 13, 2006, at 7:00 p.m. and last until October 15, 2006, at 7:00 p.m. Your jail confinement dates and times may be modified by the U.S. Marshal's Service.

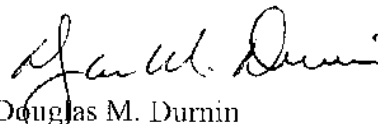
### CAUSE

Since his release from imprisonment, Mr. Harly has been supervised by the U.S. Probation Office in Fort Myers, Florida. The probation officer learned that on July 30, 2006, Mr. Harly traveled out of the district of supervision without the probation officer's permission and was cited for speeding. Mr. Harly readily admitted that he was in Ft. Lauderdale, but advised the probation officer that he didn't know he was out of the district. On August 17, 2006, the Court was advised of a cocaine positive urine sample submitted by the offender on July 13, 2006. On August 18, 2006, Mr. Harly provided a cocaine positive urine specimen. The offender denies using cocaine. He remains actively involved in substance abuse treatment.

Assistant U.S. Attorney Eric Pfisterer has no objection to the proposed modification.

Respectfully submitted,

by



Douglas M. Durnin  
Supervising U.S. Probation Officer  
Date: August 30, 2006

Charles Harly  
Modification of Conditions  
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**THE COURT ORDERS:**

- ☐ No Action  
☒ The Modification of Conditions as Noted Above  
☐ Other

s/ Yvette Kane

Signature of Judicial Officer

9.12.06

Date

PROB 49  
(12/94)

## United States District Court

Middle District of Florida

### Waiver of Hearing to Modify Conditions of Supervised Release

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release or to the proposed extension of my term of supervision:

You shall reside for a period of two (2) weekends in the Lee County Jail. The first period of confinement shall begin on October 6, 2006, at 7:00 pm and last until October 8, 2006, at 7:00 pm. The second period of confinement shall begin on October 13, 2006, at 7:00 pm and last until October 15, 2006, at 7:00 pm. Your jail confinement dates and times may be modified by the U.S. Marshal's Service

Witness:

  
Soraida Muñiz  
U.S. Probation Officer

Signed:

  
Charles Harley  
Supervised Releasee

8-28-06  
Date